

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

GENERAL MILLS, INC.,

Opposer,

VS.

JASPER FOODS, INC.

Applicant.



09-11-2006
U.S. Patent & TMO/c/TM Mail Rcpt Dt. #

Opposition No. 91111858


RESPONSE TO BOARD COMMUNICATION

On August 21, 2006, the Board issued a communication inquiring about an inconsistency in the Withdrawal of Opposition filed on August 1, 2006. The title of that communication contained a typographical error, and the body of that communication correctly reflected the parties agreement that the opposition be dismissed with prejudice.

Respectfully submitted,

GENERAL MILLS, INC.

By:


Gregory P. Kaihoi
Attorney for Opposer
Number One General Mills Boulevard
Minneapolis, Minnesota 55426
Telephone: (763) 764-2281

Date:

9/7/06

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing Response To Board Communication has been sent first class mail this 7th day of September, 2006, postage pre-paid, to Matthew J. Cuccias, Jacobson Holman PLLC, 400 Seventh Street, N.W., Washington, D.C. 20004..

Denise Beech

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

GENERAL MILLS, INC.,)	
)	
Opposer,)	
)	
vs.)	
)	Opposition No. 91112485
)	
JASPER FOODS, INC.)	
)	
Applicant.)	

CORRECTED WITHDRAWAL OF OPPOSITION WITH PREJUDICE

The parties in this opposition have reached a settlement of the opposition. Pursuant to that settlement Opposer hereby withdraws, with prejudice, the above-captioned opposition.

On July 20, 2006, Opposer filed a withdrawal of the opposition that contained a typographical error which erroneously indicated in the title that the withdrawal was without prejudice (though the body of the document indicated the withdrawal was with prejudice). Applicant requested that this correction be filed.

Applicant also challenged Opposer's characterization, in the previously filed document, that Applicant had consented to the withdrawal of the opposition. The settlement agreement obligated Opposer to file this withdrawal, and, indeed, Applicant continues to insist that the withdrawal be correctly filed. While the settlement agreement does not actually use the word "consent" per se, Opposer takes Applicant's insistence as consent.

Respectfully submitted,

GENERAL MILLS, INC.

By: 

Gregory P. Kaihoi

Attorney for Opposer

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Alvise Basch